

LICENSING SUB-COMMITTEE
28 FEBRUARY 2014

Minutes of the meeting of the Licensing Sub-Committee of Flintshire County Council held in the Delyn Committee Room, County Hall, Mold on Friday, 28 February 2014

PRESENT: **Councillor Tony Sharps (Chairman)**
Councillors David Cox and Ian Dunbar

OFFICERS OF FLINTSHIRE COUNTY COUNCIL:
Senior Licensing Officer (Gemma Potter), Solicitor (Tim Dillon) and Committee Officer

Mr. Geoff Powell, Applicant

1. **APOLOGIES**

None.

2. **DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)**

None were received.

3. **REQUEST FOR EXEMPTION FROM PRIVATE HIRE VEHICLE SPECIFICATION**

The Chairman welcomed the applicant, introduced the members of the Sub-Committee and explained the procedure for the hearing.

The Senior Licensing Officer introduced the report for Members to consider and determine a request for an exemption from the Private Hire Vehicle Specification to allow a Mercedes CLS 320 to become licensed as a Private Hire Vehicle. She advised that the applicant's intention was to undertake only 'executive' type work for which a Private Hire Vehicle licence was required, as this provision was not included in the Local Government (Miscellaneous Provisions) Act 1976. The applicant's vehicle had two large rear seats with a centre console, which did not meet the requirements for the Council's private hire vehicles for a minimum of four seats in addition to the driver, however all other criteria had been met and there were no safety implications from the vehicle. The Senior Licensing Officer suggested that the Sub-Committee may wish to consider imposing a condition on the licence that bookings for the vehicle may only be made in writing at least 24 hours before each journey to ensure that the seating configuration was made clear to the person making the booking.

The Chairman agreed to a ten minute recess to allow the members of the Sub-Committee to view the vehicle which was parked outside.

When the meeting was reconvened, the Chairman invited the applicant to make representations and to provide responses to questions raised by the panel.

Approved		Date
-----------------	--	-------------

The applicant explained that he had carried out some research prior to his application and had understood the Council's requirements for the purposes of a private hire application.

In response to questions from Councillor Ian Dunbar, the Senior Licensing Officer clarified that exemptions had been made for particular vehicles which seated three passengers as opposed to four. She also confirmed that records of similar 'executive' style private hire vehicle operators were checked to ensure the appropriate use of those vehicles. Whilst providing clarification on the display of the windscreen licence, she explained that the exemption certificate would need to be retained in the glove compartment of the vehicle at all times.

Councillor David Cox stated his satisfaction with the representations made by the applicant and the Senior Licensing Officer.

The applicant referred to research which he had undertaken to establish a need for this type of 'executive' style contract work in the county and gave assurances that a transparent booking system would be in place.

3.1 Determination of the Application

Following consideration of the application, including the representations made by the applicant and the Licensing Authority, the Sub-Committee agreed that it was appropriate for an exemption to be made to the vehicle specification in this instance and for the condition outlined in paragraph 4.02 of the report to be imposed on the licence.

The Senior Licensing Officer and the applicant were invited to return so that the meeting could be reconvened.

3.2 Decision

The Chairman stated that the following consideration by the Panel, it had been agreed to allow an exemption from the Private Hire Vehicle Specification to permit the Mercedes CLS 320 to become licensed as a Private Hire Vehicle, with a condition imposed on the licence that the vehicle may not be used for private hire journeys other than contract bookings made in writing at least 24 hours before each journey.

RESOLVED:

- (a) That an exemption be granted to the vehicle specification for a Mercedes CLS 320 with the exact seating configuration as in this instance; and
- (b) That a condition be imposed on the licence so that the vehicle may not be used for private hire journeys other than contract bookings made in writing at least 24 hours before the journey commences.

Approved		Date
-----------------	--	-------------

4. **MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE**

There were no members of the press or public in attendance.

(The meeting started at 10.00 am and ended at 10.40 am)

Approved		Date
-----------------	--	-------------